

III 3 9 Z04

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through September 2000. GPO 2001-090.

Under the Rework Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/RTE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Shee

1

1

<i>Complete if Known</i>	
<i>Application Number</i>	10/099,685
<i>Filing Date</i>	March 14, 2002
<i>First Named Inventor</i>	Daniel R. Potter et al.
<i>Art Unit</i>	3627
<i>Examiner Name</i>	Andrew J. Rudy
<i>Attorney Docket Number</i>	005127.00033

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
ASR		US- 4,800,657	01-31-1989	Brown	
		US- 5,206,804	04-27-1993	Theis et al.	
		US- 5,361,133	11-01-1994	Brown et al.	
		US- 5,500,802	03-19-1996	Morris et al.	
		US- 6,449,878 B1	09-17-2002	Lyden	
ASR		US- 6,519,876 B1	02-18-2003	Geer et al.	

NON-PATENT LITERATURE DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		² Custom Fit Footwear, www.digitoe.com , 1984-Present Digitoe, Inc., 4 pages	
ASR		² Nikexpress Direct Sales over the Internet Expected to Reach 30% of Total Athletic Footwear Sales by Year 2003, The New York Times, September 23, 1999, 1 page	
ASR		² customatix.com, shoes designed by your, u.s. men's measuring machine, (date unknown, but prior to filing of this application), 1 page	
ASR		² customatix.com, shoes designed by your, u.s. women's measuring machine, (date unknown, but prior to filing of this application), 1 page	

Examiner
Signature

Date
Considered

August 31 2004

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.